



CITY OF LONG BEACH

FREQUENTLY ASKED QUESTIONS

What is the Increased Cost of Compliance (ICC) Program?

ICC coverage under FEMA's National Flood Insurance Program is one of several resources for flood insurance policyholders. Under ICC, FEMA offers up to \$30,000 for homeowners to help cover the costs of mitigation measures that will reduce flood risk, including raising the height of houses that the agency mandates for new buildings or rebuilding in designated flood zones such as Long Beach.

Frequently Asked Questions about the Increased Cost of Compliance (ICC) Program

1. What does "substantially damaged" mean?

Substantially damaged means that it was determined that the damage sustained to your home was 50% or greater than the value of the structure excluding your land.

As defined in 59.1 of the NFIP regulations, a building is considered to be substantially damaged when: "damage of any origin is sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred."

2. Who conducted the ICC inspections?

2755 ICC Inspections were performed by a Contractor hired and supervised by FEMA.

3. How did they determine my Substantial Damage Estimated percentage when no one ever came into my house? Who do I contact if I do not agree with inspection outcome?

The FEMA inspectors estimated the damage based upon their observations, from the exterior, the type of house as well as the height of the water.

One method commonly used is the use of the Substantial Damage Estimator software developed by FEMA. This software uses percentage damage of various elements of a building such as the foundation, superstructure, roof, electrical, etc. to determine a percent of damage for each element. The program has been developed such that the estimate of damage can be based on a visual inspection of the outside of the structure to establish the approximate depth of water inside. In rare instances, an inspection on the inside may be needed, i.e. such as if the depth of water on the first floor is only 6 inches, electrical outlets would not have been impacted whereas 2 ft. of water would have damaged the electrical outlets. The percentage damage for each element is entered into the program which calculates the value of the damage for that element and then uses all elements to arrive at an overall percentage of damage.

If other data such as engineers, architects, or contractor's estimates are available, this data can also be entered into the program to arrive at the estimated damage cost. It should be stressed that this is an ESTIMATE. Generally, structures with estimated percent of damage within a range of 40-60 are looked at more closely for the purpose of accuracy. There are several options a community might consider to determine "market value" of a structure. Communities can define market value by using the actual cash value of a structure (replacement cost minus depreciation), real estate appraisal or tax assessed value (excluding the value of the land)

All the inspections were done from the exterior of the home, and all determinations may be appealed to the City of Long Beach Building Department located in City Hall located at 1 West Chester Street.

4. How do I appeal the ICC Program determination of substantial damage? (increase or decrease)

City government is here to work with you and there is an easy appeal process. These letters were mandated by the National Flood Insurance Program, and homeowners may appeal their determination, in either direction, by means of a contractor's estimate or the settlement report from their flood insurance carrier showing the damages are less than 50% of the value of the structure. Please contact the City to assist you with your appeal at 431-1005, or visit the City's building department on the 3rd floor of City Hall located at 1 West Chester Street.

5. If I appeal my substantial damage estimate, do I need a detailed contractor's, architect's or engineer's repair cost estimate?

To process your appeal you must submit a contractor's estimate or the settlement report from their flood insurance carrier showing the damages are less than 50% of the value of the structure.

6. Do I have to comply with the City's Floodplain Ordinance if my home is substantially damaged?

Yes, unless you appeal the determination.

7. Does the percentage of substantially damage effect my insurance payment for damages or my future insurance rate?

No, your insurance rate will not be based on the percentage of substantial damage. For example, if your home was determined to be 51% or 99% substantially damaged your rate would be the same.

Insurance rates are based on the actual risk (elevation) and not how much a property was damaged.

8. Why doesn't the value of my home on my ICC letter match that of the City and/or Nassau County Assessment?

The value on the ICC letter excludes the land and an average depreciation of 24.2% was used to determine the Actual Cash Value of the structure.

9. What is the timeline I have to apply, to rebuild or elevate my home under the ICC program?

Under the ICC Program applicants have four years from the date of loss to complete the eligible ICC activity. The date of loss for Sandy is October 29, 2012 which means that the chosen ICC activity must be completed by October 29, 2016.

It should be stressed however, that no work should begin on repair or elevation until the appropriate ICC claim has been filed and approved the flood insurance company, otherwise the ICC claim may be denied.

10. If I elevate my home what happens?

a. Does my flood insurance still go up 25%?

The new rates will be determined by your actual risk, so if you elevate your home your actual risk should decrease thus your insurance premium should be less.

b. Will my taxes be increased?

All situations are different, listed below are simplified examples.

Slight Increase: Existing home raised, no added square footage, home value will be added for condition and off-street parking.

Moderate Increase: If existing house raised and added square footage, value will increase because it is a larger home. If the addition is not more than doubled in square footage, you may qualify for a Capital Improvement Exemption (Yearly Applications Accepted September 1st to November 30th). For more information please contact the City Tax Assessor's Office at (516) 431-1009.

Increase: New house built, value will go up to market value which will increase taxes.

11. What happens if FEMA changes the flood maps? When will Long Beach be up for remapping again?

Per FEMA, there are no current plans to update flood maps in Long Beach.

12. Why are 2009 flood maps being used when the topography has changed?

While there may have been individual areas where the topography has changed, unless there is major construction activity involved, or other extenuating circumstance such as subsidence or volcanic activity, the topography itself has not changed. The flood levels over time are a different story. Flood level determinations are based on scientific and technical data and methodology. Following Sandy the 2009 maps were reviewed and determined to still be an accurate depiction of the risk. There was a recommendation to add 2 ft. of freeboard to the maps, which is already required by the State of New York.

13. How come my neighbor received more money when they had less damage to their home than I did?

This is determined by the individual Insurance Companies and their adjusters. If you feel your insurance claim was not handled properly contact the New York State Department of Financial Services to file a claim.

*DFS Disaster Hotline: 1-800-339-1759 Mon to Fri, 8am to 8pm
Sat and Sun, 10am to 5pm*

14. Why do I have to pay \$15,000 to \$20,000 to LIPA for a new pole when I elevate my house?

This is a cost that LIPA has established. The City of Long Beach is presently advocating on behalf of our residents that LIPA should incur the cost of the necessary work.

15. How do I get an elevation certificate?

Elevation Certificates are prepared by New York State Licensed Land Surveyors. For a list of local Licensed Land Surveyors, please contact the City Building Department at (516) 431-1005.

16. Can we abandon the ground floor in our house and then build up to be compliant?

Yes, by abandoning the ground floor of your home you would be FEMA compliant. Property owners can make a personal choice to modify their structure to minimize the potential for future flood damage. This type of activity is referred to retro fitting. Please keep in mind this is presently not covered by the NFIP (FEMA) ICC Program. Eligible mitigation activities under ICC include elevation, relocation, demolition and flood proofing of commercial structures.

17. How is my Base Flood Elevation determined?

Your required Base Flood Elevation is determined by the FEMA Flood Insurance Rate Map.

For more information visit:

<https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1&userType=G>

or

http://www.floodsmart.gov/floodsmart/pages/flooding_flood_risks/understanding_flood_maps.jsp

Additional Storm Recovery Resources:

Homeowner Guide: Should I Repair, Rebuild or Relocate?

http://184.72.33.183/Public/Public_Documents/New_York_Homeowner_Guide.pdf